

For your convenience, a log is provided. Please complete all of the requested information.

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**City of Sunnyvale
Department of Public Safety
P.O. Box 3707
Sunnyvale, CA 94088-3707**



**CITY OF SUNNYVALE
DEPARTMENT OF PUBLIC SAFETY**

INFORMATIONAL BROCHURE CONCERNING NOISY ANIMALS

What can you do to resolve an animal noise concern in your neighborhood?



This brochure has been designed to provide you with everything you need to know about dealing with your neighborhood's noisy animal. It also describes our policy as well as the procedures you and our officers must follow to resolve the issue.

The Department of Public Safety's first suggestion to you is that you talk with the owner of the animal causing the noise. We believe that talking directly with your neighbor is generally the most effective method of resolving issues of this nature. However, if your attempts to resolve the problem do not work, please call our Department at (408) 730-7110 and ask for the Desk Officer.

Now that you have called the Department of Public Safety concerning a noisy animal, you will be actively involved in bringing this problem to a successful conclusion. Your involvement will include monitoring the animal's activities, recording the dates and times the nuisance is occurring, notifying our Department when appropriate, and possibly testifying in a court of law if the action taken is contested.

When an animal noise complaint is received by the Department, an officer will be assigned to investigate the complaint. The officer will contact you to verify the existence of the nuisance as well as your willingness to testify as a witness. The officer will also inform you that you are required to monitor the animal's activities and keep a written log documenting at least 5 excessive noise periods in a 15-day period. If you are willing to do this, the officer will then attempt to contact the animal owner and issue a Notice of Violation.

The Notice of Violation is an official warning to the owner of the animal giving them 15 days to abate the nuisance. It is valid for one year from the date of issuance. If after the 15-day warning period the animal is still creating a nuisance, an officer will respond and conduct a thorough investigation. The officer's investigation will include reviewing your written documentation which should indicate that the animal owner is in violation of the City ordinance, as well as their contacting other neighbors who live in close proximity to the animal owner's residence.

You should also be aware that our City Attorney's Office has ruled that a single victim to a noisy animal that causes a problem with only one household does not constitute a "public nuisance." Therefore, the Department of Public Safety will not take any criminal action concerning noisy animal situation involving only one household.

If, however, you are the only victim/witness to a violation of this section, there is an avenue of recourse available to you. California Civil Code Section 3493 allows you to pursue your complaint through the civil legal system. This section allows private persons to bring a civil action or an abatement of the nuisances caused by other parties. Additionally, Civil Code Section 116.110 allows you to seek a remedy in Small Claims Court including obtaining an injunction requiring that the nuisance cease.

If a second victim/witness is located and they are willing to monitor the animal's activities and keep written documentation, the officer may issue a citation to the animal owner. On this and any subsequent complaints, an officer will respond to conduct an investigation at which time he/she will confirm that you have kept the written log. If the log reflects at least 5 excessive noise periods during a 15-day period, a citation may be issued to the owner of the noisy animal. An excessive noise period is defined in Section 6.16.015(c) of the Sunnyvale Municipal Code as: continuous noise in 10 minutes of any 15 minute period or intermittently for 30 minutes or more.

Officers will investigate all noisy animal complaints which they receive. Officers will generally contact the complainant/witness during their investigation. However, officers will not contact complainant/witness between 10:00pm and 6:00am unless you insist on police contact as soon as possible.

IMPORTANT PHONE NUMBER LIST

Noisy Animal Complaints

Desk Officer: (408) 730-7110

All Other Animal Complaints

Animal Control: (408) 730-7178

General Information About Animal Care

Humane Society Silicon Valley: (408) 727-3383